

Application No.: 09/835,146  
Preliminary Amendment dated: December 15, 2004  
Reply to Office Action of: August 25, 2004

**REMARKS**

This preliminary amendment is responsive to the final Office Action dated August 25, 2004. Applicant respectfully submits this preliminary amendment with the Request for Continued Examination and requests the Examiner to reconsider this application in view of the amendments to the claims and arguments urged below.

The claims remaining in this case are 22-85. Applicant has amended the scope of all of the claims by amending the independent claims, 22, 52, 80 and 82. Accordingly, Applicant respectfully requests reconsideration of claims 22-85.

In the last amendment, Applicant urged the conditional transfer to an operator as being a distinction of the claims. However, the claims have been cosmetically amended in that regard and Applicant respectfully requests the examiner's reconsideration. Note that foundation and support for the amendment appears in the specification at the bottom of page 16. With such express statements on the selective transfer, the claims herein are deemed to be in a condition for allowance.

Respectfully, Applicant urges the Examiner to reconsider her rejections in view of the above arguments and amendments.

Favorable consideration and allowance of the claims pending here is respectfully requested.

Respectfully submitted,

BERRY & ASSOCIATES P.C.

By: 

Reena Kuyper  
Registration No. 33,830

Dated: 12/15/2004

9255 Sunset Blvd., Suite 810  
Los Angeles, CA 90069  
(310) 247-2860